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Paper No. 35

CONRAD O GARDNER
1502 N 97TH STREET
SEATTLE WA 98103

COPY MAILED
AUG 03 2004

In re Application of :
Gardner :
Application No. 08/896,514 :
Filed: June 23, 1997 :
For: EXTENDED RANGE MOTOR VEHICLE :
HAVING AMBIENT POLLUTION :
PROCESSING :
:

OFFICE OF PETITIONS

: ON PETITION

:

The above-identified application has been referred to this office in view of a communication filed May 3, 2004, captioned "Amendment withdrawing terminal disclaimer," which is being treated as a petition under 37 CFR 1.182 asking that the USPTO withdraw the terminal disclaimer filed July 3, 2000.

The petition is dismissed as lacking the necessary papers and fees.

As explained in the Manual of Patent Examining Procedure ("MPEP") section 1490, Part A (at 1400-102 et seq., copy of entire section enclosed with this decision for petitioner's convenience), a terminal disclaimer recorded against a pending application may, under appropriate circumstances consistent with the orderly examination process, be nullified only by the filing of a petition under 37 CFR 1.182 (and its \$130 fee).

Should petitioner wish to renew his petition, a separate paper captioned to that effect, along with any arguments in support of the requested relief and also addressing, since this application is closed to prosecution and under appeal, why such would be now consistent with an orderly examination process, and the \$130 petition fee should be addressed as follows:

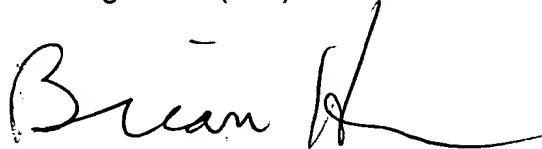
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By hand: 2011 South Clark Place
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ATTN: Office of Petitions

This application is being forwarded to the Board of Patent Appeals and Interferences.

Telephone inquiries related to this communication should be directed to th3e
undersigned at (703) 305-1820.



Brian Hearn
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner for
Patent Examination Policy

Enclosure: Copy of MPEP section 1490